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May 17, 2021

**BY ECF AND EMAIL**

Honorable John P. Cronan  
United States District Judge  
United States District Court  
Southern District of New York  
Email: CronanNYSDChambers@nysd.uscourts.gov

Re: Roland Jarvis v. City of New York, et al.,  
1:20-cv-08341-JPC

Your Honor:

I am a Senior Counsel in the Office of James E. Johnson, Corporation Counsel of the City of New York, and the attorney assigned to represent defendants in the above-referenced matter. I write jointly with plaintiff's counsel, Walter John Thompson, to request a sixty-day adjournment of the initial conference, presently scheduled for May 24, 2021, and all associated deadlines, *see* ECF No. 12, in order for the parties to complete mediation pursuant to Local Civil Rule 83.10 (hereinafter referred to as "the Plan"). This is the parties' second request to adjourn the initial conference in this matter. The Court previously granted the parties' joint request to proceed under the Plan. *See* ECF No. 6.

In the Court's December 10, 2020 Order, the Court ordered that this case be handled under Local Civil Rule 83.10 (hereinafter referred to as "the Plan"). *See id.* Pursuant to the Court's Order, the parties filed a status report on January 15, 2021 updating the Court on the status of the mediation required under the Plan. *See* ECF No. 7. In that letter, the parties updated Your Honor that the mediation had not yet been scheduled, nor had the time to answer or otherwise respond to the complaint under the Plan come due. Since that time, counsel have worked diligently to move this case through the Plan. Among other things, all parties have been served and have answered the complaint, initial disclosures have been exchanged, and the parties have also exchanged the limited supplemental discovery allowed under the Plan. Additionally, counsel for the parties have engaged in substantive settlement discussions, scheduled a Plan mediation, and submitted confidential *ex parte* statements of settlement position to the mediator.

However, at this time, the parties have not yet completed the mediation as required under the Plan. *See* Local Civil Rule 83.10(8). This adjournment is required because the plaintiff, Mr. Jarvis, could not be contacted by counsel and failed to attend the scheduled mediation dates of May 6 and May 11, both of which were agreed to by both the parties and mediator on April 6, 2021. Accordingly, despite the significant allowance of time by the Court—and expenditure of time by counsel in to comply with the Plan provisions—the attempt at mediation was frustrated. However, rather than lose this effort—and the opportunity for an early mediated resolution of this matter—the parties request the Court’s indulgence and that Mr. Jarvis be given an additional opportunity to comply with his court-ordered obligations imposed by Local Civil Rule 83.10(8).

Accordingly, the parties jointly request a sixty-day adjournment of the initial conference, presently scheduled for May 24, 2021, and all associated deadlines in order for the parties to complete mediation pursuant to the Plan.

Thank you for your consideration herein.

Respectfully submitted,

/s/ Nelson R. Leese


**Nelson R. Leese**  
*Senior Counsel*

cc: **BY ECF**  
Walter John Thompson  
*Attorney for Plaintiff*

This request is granted. The IPTC scheduled for May 24, 2021 at 10:30 a.m. is adjourned to July 26, 2021 at 10:30 a.m. The joint letter and proposed case management plan, *see* Dkt. 12, are due by July 19, 2021.

SO ORDERED.

Date: May 18, 2021  
New York, New York

  
JOHN P. CRONAN  
United States District Judge